

# Missouri Department of Natural Resources



## PUBLIC NOTICE

### DRAFT MISSOURI STATE OPERATING PERMIT

DATE: June 2, 2006

In accordance with the state Clean Water Law, Chapter 644, RSMo, Clean Water Commission regulation 10 CSR 20-6.010, and the federal Clean Water Act, the applicants listed herein have applied for authorization to either discharge to waters of the state or to operate a no-discharge wastewater treatment facility. The proposed permits for these operations are consistent with applicable water quality standards, effluent standards and/or treatment requirements or suitable timetables to meet these requirements (see 10 CSR 20-7.015 and 7.031). All permits will be issued for a period of five years, unless noted otherwise in the Public Notice for that discharge.

On the basis of preliminary staff review and the application of applicable standards and regulations, the Missouri Department of Natural Resources (MDNR), as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions. The proposed determinations are tentative pending public comment.

Persons wishing to comment on the proposed permit conditions are invited to submit them in writing to the Department of Natural Resources, Southeast Regional Office, 2155 N. Westwood Blvd., Poplar Bluff, Missouri, 63901, ATTN: Gary L. Gaines, P.E., Regional Director. Please include the permit number in all comment letters.

Comments should be confined to the issues relating to the proposed action and permit(s) and the effect on water quality. The MDNR may not consider as relevant comments or objections to a permit based on issues outside the authority of the Clean Water Commission, (see Curdt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be postmarked by July 2, 2006 or received in our office by 5:00 p.m. on July 5, 2006. The requirement of a signed document makes it impossible to accept email comments for consideration at this time. Comments will be considered in the formulation of all final determinations regarding the applications. If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to 10 CSR 20-6.020.

Copies of all draft permits and other information including copies of applicable regulations are available for inspection and copying at DNR's website, <http://www.dnr.mo.gov/env/wpp/wpcp-pn.htm>, or at the Department of Natural Resources, Southeast Regional Office, 2155 N. Westwood Blvd., Poplar Bluff, Missouri, 63901, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Public Notice Date: June 2, 2006  
Permit Number: MO-0132811  
Southeast Regional Office

FACILITY NAME AND ADDRESS	NAME AND ADDRESS OF OWNER
Lake Ozark Sand and Gravel 18501 Superior Road Waynesville, MO 65583	Lake Ozark Sand and Gravel 14 Highway V Eldon, MO 65026
RECEIVING STREAM & LEGAL DESCRIPTION	TYPE OF DISCHARGE
Unnamed Tributary to Roubidoux Creek (L) SW ¼, SW ¼, Sec. 30, T36N, R11W, Pulaski County	Sand and Gravel, new

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT**

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

Permit No. MO-0132811

Owner: Connor Quarry  
Address: 14 Highway V, Eldon, MO 65026

Continuing Authority: Gerald Harris  
Address: 15231 State Road H, Edgar Springs, MO 65462

Facility Name: Lake Ozark Sand and Gravel  
Facility Address: 18501 Superior Road, Waynesville, MO 65583

Legal Description: SW ¼, SW ¼, Sec. 30, T36N, R11W Pulaski County  
Latitude/Longitude: +3748508/-09210594

Receiving Stream: Unnamed Tributary to Roubidoux Creek (L)  
First Classified Stream and ID: Roubidoux Creek (P,L) (1512)  
USGS Basin & Sub-watershed No.: (10290201-060005)

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

**FACILITY DESCRIPTION**

All Outfalls

Discharge of wash water and storm water from sand and/or gravel operations.

This permit authorizes only wastewater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

\_\_\_\_\_  
Effective Date

\_\_\_\_\_  
Doyle Childers, Director, Department of Natural Resources  
Executive Secretary, Clean Water Commission

\_\_\_\_\_  
Expiration Date  
MO 780-0041 (10-93)

\_\_\_\_\_  
Gary L. Gaines, P.E., Director, Southeast Regional Office

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PAGE NUMBER 2 of 4	
					PERMIT NUMBER MO-0132811	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT TYPE	SAMPLE FREQUENCY
<u>Storm Water</u> (Note 1)						
Flow	MGD	*		*	once/quarter**	instantaneous estimate
Settleable Solids	mL/L/hr	1.5		1.0	once/quarter**	grab
pH – Units	SU	***		***	once/quarter**	grab
Oil and Grease	mg/l	15		10	once/quarter**	grab
<u>Process and Wash Water</u> (Notes 2 & 3)						
Flow	MGD	*		*	once/month**	24 hr estimate
Settleable Solids	mL/L/hr	1.5		1.0	once/month**	grab
Total Suspended Solids	mg/L	110		70	once/month**	grab
pH – Units	SU	***		***	once/month**	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE _____. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

MO 780-0010 (8/91)

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** (continued)

\* Monitor and report.

\*\* When no discharge occurs from the treatment facility during the reporting period, the report shall state “no discharge”.

\*\*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.

Note 1 - Samples shall be collected at least once per quarter during periods of operation and when mined material is stored at the site.

Note 2 – Samples shall be collected at least once per month during periods of operation only. When facility is not in operation report as “no discharge” or “inactive”.

Note 3 – All wash waters shall receive at least primary treatment before discharge. Permittee shall collect a sample prior to the discharge leaving the property or entering waters of the state.

## APPLICABILITY

1. This permit authorizes the discharge of wash water and storm water from sand and gravel operations within the state of Missouri. Storm water discharges include runoff from all disturbed areas, stockpiles and storage areas and waters pumped from basins containing storm water runoff. This includes discharges associated with, but not limited to, SIC codes #1442 & 1446.
2. Holders of site-specific state operating permits who desire to apply for inclusion under this general permit may contact the department for application requirements.
3. This permit does not authorize mining, dredging, or the removal of sand or gravel. Contact the Land Reclamation Program for mining permit requirements.
4. This permit does not authorize construction of stream crossings. Contact the U.S. Army Corps of Engineers for stream crossings permit requirements.
5. This permit authorizes discharges from truck washing that meet the limits specified in Table A of this permit. This permit does not authorize discharges from truck washing operations that include the use of soap or detergents.

## REQUIREMENTS

1. Water Quality Standards
  - (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
  - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
    - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
    - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
    - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
    - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
    - (5) There shall be no significant human health hazard from incidental contact with the water;
    - (6) There shall be no acute toxicity to livestock or wildlife watering;
    - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
    - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
2. Permittee must provide sediment and erosion control sufficient to prevent or control pollution to waters of the state. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.
3. Permittee shall adhere to the following Best Management Practices:
  - (a) To the extent practicable, prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehousing activities and prevent the contamination of storm water from these substances.
  - (b) Provide for the collection and proper disposal of waste products including, but not limited to, petroleum waste products and solvents. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, and shall include spill prevention, control and counter measures.
  - (c) Store all paint, solvents, petroleum products, and petroleum waste products in appropriate storage containers (such as drums, cans, or cartons) so that these materials are safely contained and not exposed to storm water.
  - (d) Provide good housekeeping practices on the site to keep trash or other solid waste from entering waters of the state.
  - (e) Designate an individual as responsible for environmental matters. Inspect, once per month on workdays, any structure that functions to prevent pollution from storm water or to remove pollutants from storm water. In addition, inspect these structures within 24 hours of each rainfall event of one inch or more. Inspect the facility in general to ensure that any Best Management Practices are continually implemented and remain effective. The department advises that a log book be maintained to record the inspections.

#### REQUIREMENTS (continued)

4. This permit may be reopened and modified, or alternatively revoked and reissued, to:
- (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C), and (D), 304(b)(2) and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
    - (1) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
    - (2) Controls any pollutant not limited in the permit.
  - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test, or other information indicates changes are necessary to assure compliance with Missouri Water Quality Standards.
  - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's current 303(d) list.
5. Changes in Discharges of Toxic Substances  
The permittee shall notify the Director as soon as it knows or has reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
    - (4) The level established in Part A of the permit by the Director.
  - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.

#### TERMINATION OF PERMIT

This permit may be terminated when activities covered by this permit have ceased and no significant materials are stored in such a way as to come into contact with storm water, or if a transfer of ownership of the facility and its activities has been made. If such a termination is sought, the permittee shall submit Form J, Termination of a State Operating Permit.

#### DUTY OF COMPLIANCE

The permittee shall comply with all conditions of this permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6.200. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.

#### PERMIT TRANSFER

This permit may be transferred to a new owner by submitting an "Application for Transfer of Operating Permit" signed by the seller and buyer of the facility, along with the appropriate modification fee.

#### RECORDS RETENTION AND REPORTING

All sampling data shall be maintained by the permittee for a period of five (5) years and shall be supplied to the Department of Natural Resources upon written request (supersedes Part I. Section A: 7. Records Retention).

#### PERMIT RENEWAL REQUIREMENTS

Unless this permit is terminated, the permittee shall submit an application for the renewal of this permit no later than six (6) months prior to the permit's expiration date.